



PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:
Mennie et al

Serial No. 09/076,528

Filed: May 12, 1998

Title Method and Apparatus for
Discriminating and Counting
Documents

Examiner: Auh Hong Do

Group Art Unit: 2724

Attorney Docket No. CUMM:139-1
47171-00139USC1

**FIFTH INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.97 and 1.98**

Assistant Commissioner
For Patents
Washington, DC 20231

Dear Sir:

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CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231, on the date below:

12/1/98

Date

Paul J. Little

Signature

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Fifth Information Disclosure Statement be entered and the reference(s) listed on attached Form PTO-1449 be considered by the Examiner and made of record.

In accordance with 37 C.F.R. § 1.98(d), copies of the listed references are enclosed.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Fifth Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information disclosed is, or is considered to be, prior art with respect to the present application or material to patentability as defined in 37 C.F.R. §§ 1.56.



The present Fifth Information Disclosure Statement is being filed prior to the receipt of a First Official Action reflecting an examination on the merits and hence is believed to be timely in accordance with 37 C.F.R. § 1.97(b). Accordingly, no fees are believed to be due in connection with the filing of this Fifth Information Disclosure Statement. However, should any fees be deemed necessary (except payment of the issue fee), the Commissioner is authorized to charge any deficiency or to credit any over payment to Jenkins & Gilchrist Account No. 10-0447/47171-00139USC1.

Respectfully submitted,

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